

### **REMARKS**

This responds to the Office Action mailed on January 17, 2007.

Claims 1-3, 6, 14, 16, 18, 19 and 22-25 are amended and claims 28-30 are canceled; as a result, claims 1-27 are now pending in this application.

#### **Allowable Subject Matter**

Claims 25-27 were allowed.

Claims 3-8, 14, 19 and 24 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 3 has been rewritten in independent form including all of the limitations of base claim 1. Claims 4 and 5 are believed to be allowable at least because of their dependency on claim 3.

Claim 6 has been rewritten in independent form including all of the limitations of base claim 1. Claims 7 and 8 are believed to be allowable at least because of their dependency on claim 6.

Claim 14 has been rewritten in independent form including all of the limitations of base claim 1 and intervening claim 13.

Claim 19 has been rewritten in independent form including all of the limitations of base claim 16.

Claim 24 has been rewritten in independent form including all of the limitations of base claim 22 and intervening claim 23.

In view of the above, Applicants submit that claims 3-8, 14, 19 and 24 are in condition for allowance.

#### **Claim Objection**

Claim 25 was objected to due to informalities. It is believed that the amendment made herein to claim 25 obviates said objection.

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§102 Rejection of the Claims

Claims 1, 2, 9-13, 15-18, 20-23 and 28-30 were rejected under 35 U.S.C. § 102(e) as being anticipated by You et al. (U.S. 7,039,000; hereinafter as “You”).

Applicant’s claims 1, 16 and 22, as amended recite that a coarse timing signal is generated by sampling at least one of the short training symbols with a short training symbol matched filter, and that a fine timing signal is generated by sampling at least one of the long training symbols in response to receipt of the coarse-timing signal with a long training symbol matched filter. These recitations are not taught, suggested, or motivated by You.

You discloses the use of a finite impulse response (FIR) low pass filter as part of up-sampler/interpolator 510 (see You FIG. 5 and column 6, lines 61 through 67). According to You, the up-sampling and digital interpolation filtering 510 provide additional high resolution samples for the data buffers 523 and 524. Thus, the resolution of the correlation is increased by a factor of four. The finite impulse response (FIR) low pass filter can be used to provide interpolated samples at a rate four times higher than the original sampling rate. Applicants find no teaching, suggestion, or motivation in You of symbol-matched filters as recited in Applicants’ claims 1, 16, and 22, as amended.

In view of the above, Applicants submit that the rejection of claims 1, 16 and 22 under 35 U.S.C. § 102(e) has been overcome and that claims 1, 16 and 22 are in condition for allowances. Claims 2, 9 – 13, 15, 17, 18, 20, 21 and 23 are believed to be allowable at least because of their dependency on claim one of claim 1, 16 or 22.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant’s attorney ((480) 659-3314) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

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**Reservation of Rights**

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

Respectfully submitted,

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By /



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